

# Legislative Fiscal Bureau

## Fiscal Note

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HF 643 - Court Practices & Procedures (LSB 1209 HV)

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Fiscal Note Version — New

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### **Description**

Section 26 of HF 643 increases the cap on the Enhanced Court Collections Fund (Section 602.1304, Code of Iowa) from \$4.0 million to \$6.0 million. The Fund is used by the Judicial Branch for technology improvements. This Fund was originally set up to provide an incentive to the Judicial Branch to collect fines and fees.

Section 30 of HF 643 reduces the fee for filing and docketing a simple misdemeanor from \$25.00 to \$17.00, increases the amount for filing and docketing a uniform citation from \$1.00 to \$8.00, decreases the cost where a court appearance is required from \$25.00 to \$17.00, and increases the cost where a court appearance is not required from \$15.00 to \$17.00.

### **Assumptions**

1. Section 26 - Under current law, revenue collected by the Judicial Branch that exceeds a target set by the Revenue Estimating Conference (REC) in December may be deposited into the Enhanced Court Collections Fund up to \$4.0 million. The Fund does not revert funds at the end of the fiscal year. Interest earned and retained by the Fund is approximately \$300,000 annually.
2. Section 26 - The following is the formula used to determine if the Judicial Branch has made their target:  $\text{REC estimate} - (\$9.5 \text{ million Prison Infrastructure Fund} + \$1.0 \text{ million Court Tech Fund} + \text{money collected for commercial vehicle fines deposited directly into the Road Use Tax Fund}) = \text{net amount} / 4 = \text{quarterly total that the Judicial Branch must obtain}$ . Any excess of this amount up to \$4.0 million will go to the Enhanced Court Collections Fund.
3. Section 30 - The Code contains four different filing fee amounts for simple misdemeanors: \$1.00 for parking violations, \$8.00 for parking violations that proceed before court, \$15.00 for scheduled violations with no court appearance required, and \$25.00 for other simple misdemeanors and for scheduled misdemeanors when a court appearance is required. House File 643 creates two tiers for simple misdemeanors: parking violations at \$8.00 and all other simple misdemeanors at \$17.00.

### **Fiscal Impact**

#### **Section 26**

Increasing the cap on the Enhanced Court Collections Fund could potentially reduce General Fund receipts by \$2.0 million annually. In FY 2002, the Enhanced Court Fund received \$4.3 million in receipts through court collections and interest earned on the Fund and disbursed \$4.0 million for technology. The carry forward at the start of FY 2002 was \$4.3 million and the ending balance was \$8.6 million. In FY 2003, the Fund had a carry forward of \$4.6 million and a year-to-date balance of \$8.9 million. The interest earned on this Fund is approximately \$300,000 annually.

The following is a history of deposits into the General Fund and the Enhanced Court Collections Fund:

<u>Fiscal Year</u>	<u>General Fund Deposit</u>	<u>Enhanced Court Deposit</u>
1999	\$54.3 million	\$6.0 million
2000	57.1 million	5.0 million
2001	53.2 million	0.0 million
2002	55.7 million	4.0 million
2003 (Est.)	56.8 million	4.0 million
2004 (Est.)	56.8 million	4.0 million

### Section 30

The fiscal impact for Section 30 of HF 643 increases revenue to the General Fund by \$500,000 annually. The Bill creates two tiers for simple misdemeanors: \$8.00 for parking and \$17.00 for all others simple misdemeanors.

### Source

Judicial Branch

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/s/ Dennis C Prouty

March 25, 2003

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The fiscal note and correctional impact statement for this bill was prepared pursuant to Joint Rule 17 and pursuant to Section 2.56, Code of Iowa. Data used in developing this fiscal note and correctional impact statement are available from the Legislative Fiscal Bureau to members of the Legislature upon request.

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